

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY

- 1. Title and its heading:** 6, Economic Security
Chapter and its heading: 5, Department of Economic Security - Social Services
Article and its heading: 49, Child Care Assistance
Section numbers: R6-5-4901 through R6-5-4923 and other Sections to be determined.
Sections may be added or deleted as necessary.
- 2. The subject matter of the proposed rules:**
These rules govern eligibility for child care assistance and clarify the requirements of the child care program described in A.R.S. §§ 46-801 through 46-810. This Article governs child care assistance for the following categories of individuals: persons attempting to become self-sufficient and end receipt of cash assistance; low-income persons who need child care assistance to maintain employment and avoid receipt of cash assistance; teen parents who need child care assistance to attain a high school diploma or G.E.D. certificate; persons who cannot care for their own children due to a physical, mental, or emotional disability; residents of homeless or domestic violence shelters; and persons who are referred for child care through Child Protective Services.

The rules in this Article describe eligibility categories; how to access child care assistance; eligibility criteria for each category of eligible persons; the amount of assistance the Department can provide for an eligibility activity or need; provisions for calculation of income and income eligibility requirements; allowable child care providers for DES child care assistance; appeals for adverse actions; and all other child care assistance program requirements.

The Department previously filed these rules as exempt rules. On January 23, 1998, the Department instituted the formal rulemaking process, as required by Laws 1997, Chapter 300, § 74(B).
- 3. A citation to all published notices related to the proceeding:**
Notice of Rulemaking Docket Opening: 4 A.A.R. 287, January 23, 1998

Notice of Exempt Rulemaking: 3 A.A.R. 2246, August 22, 1997

Notice of Rulemaking Docket Opening: 5 A.A.R. 3091, September 10, 1999
- 4. Name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Beth A. Broeker

Address: 1789 West Jefferson, Site Code 837A
Phoenix, Arizona 85007

or

P. O. Box 6123, Site Code 050A
Phoenix, Arizona 85005

Telephone: (602) 542-6555
Fax: (602) 542-6000
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
A person may submit written or oral comments from the present until close of record, which has not yet been scheduled, to the person named in item #4. No oral proceedings are currently scheduled.
- 6. A timetable for agency decisions or other action on the proceeding:**
Not yet known.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY

- 1. Title and its heading:** 6, Economic Security
Chapter and its heading: 10, Department of Economic Security - The JOBS Program
Article and its heading: 1, JOBS: General Provisions
3, Grievance Procedures
(Articles may be added and deleted as necessary.)
Section numbers: R6-10-101 through R6-10-125, R6-10-301 through R6-10-304, and other Sections to be determined. Sections may be added or deleted as necessary.

2. The subject matter of the proposed rules:

These rules describe the work participation requirements contained in Laws 1997, Chapter 300 (1997 SB 1357), as codified in A.R.S. §§ 46-299, 46-300, and 46-300.1. They describe activities that satisfy federal work participation requirements associated with Temporary Assistance for Needy Families (TANF), Title I of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, and the circumstances under which an individual may be temporarily deferred from participating in work activities.

In addition, these rules explain the penalties for not meeting the work requirements, and circumstances that constitute good cause for such failure.

These rules also provide a description of the JOBS subsidized employment activity, its operation, eligibility requirements for participants and employers, and grievance procedures for displaced employees.

The Department previously filed these rules as exempt rules. On October 24, 1997, the Department instituted the formal rulemaking process, as required by Laws 1997, Chapter 300, § 74(B).

3. A citation to all published notices related to the proceeding:

Notice of Exempt Rulemaking: 3 A.A.R. 2261, August 22, 1997

Notice of Rulemaking Docket Opening: 3 A.A.R. 2976, October 24, 1997

Notice of Rulemaking Docket Opening: 5 A.A.R. 3092, September 10, 1999

4. Name and address of agency personnel with whom persons may communicate regarding the rules:

Name: Beth A. Broeker

Address: 1789 West Jefferson, Site Code 837A
Phoenix, Arizona 85007

or

P. O. Box 6123, Site Code 837A
Phoenix, Arizona 85005

Telephone: (602) 542-6555

Fax: (602) 542-6000

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

A person may submit written comments from the present until close of record, which has not yet been scheduled, to the person named in question #4. The Department has not yet scheduled oral proceedings, but will do so at the time of filing the Notice of Proposed Rulemaking.

6. A timetable for agency decisions or other action on the proceeding:

The Department intends to file a Notice of Proposed Rulemaking in July 2001.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY

- 1. Title and its heading:** 6, Economic Security
Chapter and its heading: 12, Department of Economic Security - Cash Assistance Program
Articles and their headings: 1, General Provisions
2, Application Process and Procedures
3, Non-Financial Eligibility Criteria
4, Financial Eligibility; Resources
5, Financial Eligibility; Income
6, Special CA Circumstances
7, Determining Eligibility and Benefit Payment Amount
8, Payments
9, Changes; Adverse Action
10, Appeals
11, Overpayments
12, Intentional Program Violation
13, Jobstart
(Articles may be added or deleted as necessary.)
- Section numbers:** R6-12-101 through R6-12-105, R6-12-201 through R6-12-211, R6-12-301 through R6-12-320, R6-12-401 through R6-12-406, R6-12-501 through R6-12-508, R6-12-601 through R6-12-617, R6-12-701 through R6-12-706, R6-12-801 through R6-12-808, R6-12-901 through R6-12-908, R6-12-1001 through R6-12-1015, R6-12-1101 through R6-12-1103, R6-12-1201 through R6-12-1206, R6-12-1301 through R6-12-1307, and other Sections to be determined. Sections may be added or deleted as necessary.

2. The subject matter of the proposed rule:

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) created a new welfare block grant program entitled Temporary Assistance to Needy Families (TANF). The policies contained in the TANF program replace the Aid to Families with Dependent Children (AFDC) cash assistance program.

In the 1997 Arizona legislative session, SB 1357 (Laws 1997, Chapter 300) was enacted, which comprehensively changed the state's welfare laws to conform to the changes in federal law effected by PRWORA. The AFDC program was eliminated and a new cash assistance program entitled Temporary Assistance to Needy Families was adopted. The changes in the rules implement the changes in SB1357 and cover such matters as the program name (which was changed to Cash Assistance program), program eligibility requirements (including a heavy emphasis on the individual's responsibility to work toward self-sufficiency), and sanctions for failure to comply with program requirements.

3. A citation to all published notices relating to the proceeding:

Notice of Exempt Rulemaking: 3 AAR 2281, August 22, 1997

Notice of Rulemaking Docket Opening: 3 AAR 3118, November 7, 1997

Notice of Rulemaking Docket Opening: 5 AAR 3093, September 10, 1999

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Beth Broeker

Address: P.O. Box 6123
Phoenix, AZ 85005

or

1789 West Jefferson, Site Code 837A
Phoenix, AZ 85007

Telephone: (602) 542-6555

Fax: (602) 542-6000

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5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

A person may submit written comments during business hours until further notice is provided. The Department will schedule oral proceedings on these rules at the time of filing the Notice of Proposed Rulemaking.

6. A timetable for agency decisions or other action on the proceeding, if known:

Not yet known.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY

- 1. Title and its heading:** 6, State Assistance Programs
Chapter and its heading: 13, Department of Economic Security - State Assistance Programs
Articles and their headings: 1, Reserved
2, Application and Continued Eligibility
3, Methods of Eligibility Determination and Budget Procedures
6, Supplemental Payments Program
7, General Assistance
8, Short-Term Crisis Services
9, Tuberculosis Control
12, Other Procedures and Services
(Articles may be added or deleted as necessary.)
Section numbers: R6-13-201 through R6-13-216, R6-13-301 through R6-13-322, R6-13-601 through R6-13-604, R6-13-701, R6-13-801 through R6-13-809, R6-13-901 through R6-13-922, R6-13-1201 through R6-13-1213, and other Sections to be determined. New sections will be added to Articles 1 and 7. Sections may be added or deleted as necessary.

2. The subject matter of the proposed rule:

Chapter 13 - State Assistance Programs contains rules pertaining to four programs administered by the Department: the Supplemental Payments program (Article 6), the General Assistance program (Article 7), the Tuberculosis Control program (Article 9), and the Short-Term Crisis Services program (Article 8), as well as rules about applications to these programs, eligibility determination, and budget procedures. The General Assistance and Tuberculosis Control programs provide assistance to individuals and families in financial need due to decreased self-sufficiency resulting from illness or disability. The Short-Term Crisis Services program provides a variety of assistance to individuals and families in emergency situations. Supplemental Security Income (SSI) recipients may receive assistance in meeting their domestic needs, such as homemaking services, through the Supplemental Payments program.

The Department, in compliance with R1-6-108, completed a 5-year-review report on the rules in Chapter 13 - State Assistance Programs, as required by A.R.S. § 41-1056. The Department identified the need to revise and update these rules in order to comply with changes initiated by the Arizona legislature and any applicable Federal statutes enacted since the rules were last amended.

3. A citation to all published notices relating to the proceeding:

Notice of Rulemaking Docket Opening: 5 A.A.R. 3094, September 10, 1999

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Beth Broeker

Address: P.O. Box 6123
Phoenix, AZ 85005

or

1789 West Jefferson, Site Code 837
Phoenix, AZ 85007

Telephone: (602) 542-6555

Fax: (602) 542-6000

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5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

A person may submit written and oral comments during business hours to the person named in item 4 until the close of record, which is not currently scheduled. No oral proceedings are scheduled at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

Not yet known.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY

- 1. Title and its heading:** 6, Economic Security
Chapter and its heading: 14, Food Stamps Program
Article and its heading: 1, Food Stamps – General Information and Provisions
2, Food Stamps – Eligibility Standards
3, Food Stamps – Application and Certification
4, Food Stamps – Issuance
5, Food Stamps – Hearings and Appeals
6, Food Stamps – Claims and Restoration of Lost Benefits
Articles may be added or deleted as necessary.
Section numbers: R6-14-101 through R6-14-111, R6-14-201 through R6-14-218, R6-14-301 through R6-14-327, R6-14-401 through R6-14-402, R6-14-501 through R6-14-507, R6-14-601 through R6-14-610. Sections may be added or deleted as necessary.

2. The subject matter of the proposed rules:

The proposed rules will update the current Food Stamp rules, reflecting major legislative and policy changes since these rules were first adopted in 1979. The new food stamp rules will address all food stamp related matters for which the Department has discretion.

3. A citation to all published notices related to the proceeding:

None

4. Name and address of agency personnel with whom persons may communicate regarding the rules:

Name: Beth A. Broeker
Address: 1789 West Jefferson, Site Code 837A
Phoenix, Arizona 85007
or
P. O. Box 6123, Site Code 837A
Phoenix, Arizona 85005
Telephone: (602) 542-6555
Fax: (602) 542-6000

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

A person may submit written or oral comments from the present until close of record, which has not yet been scheduled, to the person named in item #4. No oral proceedings are currently scheduled.

6. A timetable for agency decisions or other action on the proceeding:

Not yet known.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF REVENUE

- 1. Title and its heading:** 15, Revenue
Chapter and its heading: 3, Department of Revenue - Luxury Tax Section
Article and its heading: 3, Tobacco
5, Administration
Section numbers: R15-3-313 and R15-3-510
- 2. The subject matter of the proposed rule:**
R15-3-313 provides information related to furnishing a common bond for purposes of purchasing revenue stamps. R15-3-510 provides information related to the time limitation for payment of the tax after the taxpayer has received notice of decision from the Director. The Department will amend the R13-3-313 to make it consistent with statute. The Department will repeal R15-3-510 since it is inconsistent with statute and the statute related to this issue is clear.
The agency docket number, if applicable:
Not applicable
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Christie Comanita
Tax Analyst

Address: Tax Research & Analysis Section
Arizona Department of Revenue
1600 West Monroe
Phoenix, Arizona 85007

Telephone: (602) 542-4672
Fax: (602) 542-4680
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be published in the Notice of Proposed Rulemaking.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Unknown

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION - ADMINISTRATIVE SERVICES

- 1. Title and its heading:** 17, Transportation
Chapter and its heading: 1, Department of Transportation - Administrative Services
Article and its heading: 1, Reserved
Section numbers: R17-1-101
- 2. Subject matter of the proposed rule:**
This rulemaking will amend the Licensing Time-frames rule so that it applies to all of the Arizona Department of Transportation instead of to just the Motor Vehicle Division. It also will add a separate table for the licenses of the Intermodal Transportation Division.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Recodification: 7 A.A.R. 919, February 16, 2001

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4. The name and address of agency personnel to whom persons may communicate regarding the rule:

Name: Wendy S. LeStarge
Rules Analyst

Address: 3737 North Seventh Street, Suite 160
Phoenix, Arizona 85014

Telephone: (602) 712-6007

Fax: (602) 241-1624

E-mail: wlestarge@dot.state.az.us

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Oral or written comments will be accepted at the location listed in question #4 between 8:00 a.m. and 4:30 p.m., Monday through Friday.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined.